

### **REMARKS**

Claims 1-12 have been cancelled, and newly added claims 13-23 are currently pending in this application. In light of the Office Action, Applicants believe these amendments serve a useful clarification purpose, and are desirable for clarification purposes, independent of patentability. Accordingly, Applicants respectfully submit that the amendments do not limit the range of any permissible equivalents. As no new matter has been added, Applicants respectfully request entry of these amendments at this time.

### **THE CLAIM OBJECTIONS**

At pages 2-3 of the Office Action, the Examiner objected to claims 1-2, 6, and 9-12 for various formalities. In particular, claims 1-2 and 9-12 recite the word “for,” which purportedly indicates only an intended use. Moreover, claim 6 recites the term “one of,” which purportedly signifies that some parts of the invention may not actually be implemented. Finally, claims 1-2, 6, and 9-12 were objected to because they contain the term “or,” which purportedly signifies that some parts of the invention may not actually be implemented. While Applicants disagree with the Examiner’s tenuous assertions, Applicants have cancelled claims 1-12 as shown above. In view of the claim cancellations, Applicants submit that the Examiner’s objections are moot. Reconsideration and withdrawal of the objections is respectfully requested.

### **THE REJECTIONS UNDER 35 U.S.C. § 112**

At pages 3-6 of the Office Action, the Examiner rejected claims 1-3 and 6-12 under 35 U.S.C. § 112 as being indefinite for various reasons. As shown above, however, Applicants have cancelled claims 1-12. In light of the claim cancellations, Applicants submit that the Examiner’s rejections are moot. Reconsideration and withdrawal of the § 112 rejections is respectfully requested.

### **THE REJECTIONS UNDER 35 U.S.C. § 102**

At pages 6-10 of the Office Action, the Examiner rejected claims 1-12 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,587,127 to Leeke *et al.* (“Leeke”). For at least the reasons set forth below, Applicants submit that the Examiner’s rejections have been overcome.

Leeke discloses a method of operation of a server interacting with users to provide personalized content to each of the users. *See* Abstract. Personalized content is sent to a first user by communicating first audio or other content associated with a broadcast to a first user location. *Id.* Second content is selected and a first signal is communicated to the first user location dependent on the user profile. *Id.* The second content can include second audio content selected in dependence upon the first user profile, in which case playback of the second audio content is synchronized with respect to playback of the first audio content. *Id.*

As recited above in new claims 13-23, one embodiment of the present invention relates to a method that controls a content obtaining device. The method preferably generates search information that compares content information in accordance with the content and types of the content information. Then, new content information may be searched for in accordance with the search information from the content providing device. Finally, the new content information may be displayed in accordance with a result of the searching.

As mentioned above, Leeke discloses a server which provides a client with content in accordance with a user profile. Leeke is completely silent, however, with regard to generating search information that can be searched, and with regard to searching new content information, as recited in independent claims 13, 18, and 21. Additionally, Leeke does not disclose comparing types of content information with the content information in accordance with the content recited in the claims. Thus, Leeke does not disclose, or even suggest, the features currently recited in the claims.

Furthermore, Leeke does not teach or suggest the searching feature currently recited by the claims. That is, in the present invention the searching is performed on the content obtaining device, not the content providing device. In contrast, Leeke discloses that the searching function is performed on the server which provides the client with content. In sum, Leeke does not teach or suggest that the searching feature may use the client which is provided content from the server.

For at least these reasons, Applicants submit that claims 13, 18, and 21 are in condition for allowance. Applicants further submit that claims 14-17, 19-20, and 22-23 are in condition for allowance at least by virtue of their dependency on claims 13, 18, and 21, but also for additional novel features recited therein. Reconsideration and allowance of the pending claims is therefore respectfully requested.

### CONCLUSION

All claims are believed to be in condition for allowance. If the Examiner believes that the present amendments and remarks still do not resolve all of the issues regarding patentability of the pending claims, Applicants invite the Examiner to contact the undersigned attorneys to discuss any remaining issues.

A Petition for Extension of Time is submitted herewith to extend the time for response one month to and including December 18, 2006. A Fee Sheet Transmittal is submitted herewith to pay for the one month extension of time. No other fees are believed to be due at this time. Should any fee be required, however, please charge such fee to Bingham McCutchen LLP Deposit Account No. 195127, Order No. 19546.0057.

Respectfully submitted,  
BINGHAM MCCUTCHEN LLP

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By: 

Sidhesh V. Pandit, Registration No. 58,572  
BINGHAM MCCUTCHEN LLP  
3000 K Street, NW, Suite 300  
Washington, D.C. 20007  
(202) 373-6513 Telephone  
(202) 424-7647 Facsimile